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PATE PIERCE & BAIRD  
215 SOUTH STATE STREET, SUITE 550 : NOTICE OF WITHDRAWAL  
PARKSIDE TOWER :  
SALT LAKE CITY, UT 84111 :  
: FROM ISSUE  
: UNDER 37 CFR 1.313(b)

In re Application of  
Joseph V. Simmons  
Application No. 09/976,187  
Filed: October 12, 2001  
Attorney Docket No.: Joseph V. Simmons  
For: HEATING, VENTILATING, AND AIR-CONDITIONING DESIGN APPARATUS AND  
METHOD

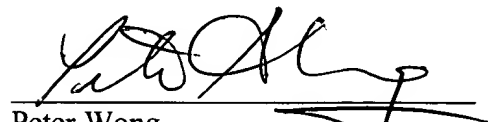
The application is being withdrawn to permit reopening of prosecution, because the application contains at least one claim that is unpatentable. See 37 CFR 1.313(b)(3).

The above-identified application is hereby withdrawn from issue.

The issue fee is refundable upon written request. If, however, the application is again found allowable, the issue fee can be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon written request. This request and any balance due must be received on or before the due date noted in the new Notice of Allowance in order to prevent abandonment of the application.

Telephone inquiries should be directed to Peter Wong 571-272-1400.

The above-identified application is being forwarded to the examiner for prompt appropriate action, including notifying applicant of the new status of this application.

  
Peter Wong  
Director, Technology Center 2100  
Computer Architecture, Software  
And Electronic Commerce